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SEP 07 2005

# Fax INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Richard E. Chilcot - Art Unit 3627	Client:	1135.31
Fax:	(571) 273-8300	Pages:	21 including coversheet
Phone:	(703) 305-4800	Date:	September 7, 2005
Re:	USSN: 10/604,603	CC:	John F. Baxter, Jr.

Urgent     For Review     Please Comment     Please Reply     Please Recycle

Dear Examiner Chilcot:

In response to the non-final office action mailed on June 7, 2005, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 7, 2005 - (2 pages);
- 2) Amendment B with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 7, 2005 - (10 pages);
- 3) Exhibit A (5 pages); and
- 4) Exhibit B (3 pages).

Very respectfully,

Thomas E. Toner  
 Reg. No. 57,422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/604,603  
Applicant: : John F. Baxter, Jr.  
Filed: : 08/04/2003  
Art Unit : 3627  
Examiner : Richard E. Chilcot

Confirmation No.: 1602

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Docket No. : 1135.31  
Customer No. : 21901  
For : Method of Embedding Product Information on A Digital  
Versatile Disc

Faxed to Technology Center 3600 at (571) 273-8300  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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**CERTIFICATE OF MAILING**  
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent & Trademark Office, Art Unit 3627, Attm: Richard E. Chilcot, (571) 273-8300 on September 7, 2005.

Dated: September 7, 2005

Shelley Butz  
Shelley Butz

(Amendment Transmittal—page 1)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3) SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total 35	Minus 35	= 0	x \$9 =	\$0
Indep. 5	Minus 6	= 0	x \$43 =	\$0
First Presentation of Multiple Dependent Claim				+ \$145 = \$0
				Total Addit. Fee \$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed

No additional fee for claims is required.

Very respectfully,



**SIGNATURE OF PRACTITIONER**

Reg. No. 57,422  
Tel. No.: (727) 507-8558

Thomas E. Toner  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760

(Amendment Transmittal--page 2)

~~SEP 07 2005~~

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : **10/604,603** Confirmation No. **1602**  
Applicant : **John Francis Baxter, JR.**  
Filed: **08/04/2003**  
TC/A.U. : **3627**  
Examiner : **Chilcot, Richard E.**  
Docket No. : **1135.31**  
Customer No. : **21,901**  
For : **Method of Embedding Product Information on A Digital Versatile Disc**

Faxed to Technology Center 3600 at (571) 273-8300  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the nonfinal Examiner's Action mailed June 7, 2005, having a shortened statutory period for response set to expire September 7, 2005, the above-identified patent application is amended a second time as follows:

AMENDMENT B  
(37 C.F.R. § 1.111)

**Amendment to the claims begin on page 2 of this paper**  
**Remarks begin on page 7 of this paper**